

Office Action dated June 29, 2004
Reply dated September 29, 2004

Appl. No. 09/658,778
Docket No. 4450-0249P
Art Unit: 2662
Page 9 of 11

REMARKS

Claims 1-21 are pending in the present application. Claims 1 and 8 are independent.

Allowable Subject Matter

Because no art rejection has been made and because the Examiner found the Reply filed March 22, 2004 persuasive with respect to the previous prior art rejections, Applicants must assume that all of the pending claims are in condition for allowance except for the new matter objection and rejection under 35 USC §112, first paragraph. These issues have been resolved as detailed below thereby clearly placing all of the claims in condition for allowance. Therefore, Applicant earnestly solicits an early indication thereof in a formal Notice of Allowance.

New Matter Objection

The Amendment filed on July 24, 2003 has been objected to under 35 USC §132 because it introduces new matter into the disclosure. The above amendment cancels the new matter that was added to the disclosure. Therefore, this objection is now moot and Applicant respectfully requests reconsideration and withdrawal thereof.

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Docket No. 4450-0249P
Art Unit: 2662
Page 10 of 11

35 USC §112, First Paragraph Rejection

Claims 1-21 are rejected under 35 USC §112, first paragraph as failing to comply with the written description requirement. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed. The above amendment removes all reference to SDH from the pending claims. Therefore, the basis of this rejection has clearly been removed thereby rendering this rejection moot. Thus, Applicant respectfully requests reconsideration and withdrawal of the 35 USC §112, first paragraph rejection.

Conclusion

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

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Docket No. 4450-0249P
Art Unit: 2662
Page 11 of 11

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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4450-0249P
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